

**Enrolled Minutes of the Forty-First Regular Meeting
Of the Twenty-Sixth Highland Town Council
Monday, September 14, 2009**

Study Session. The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, September 14, 2009 at 6:30 O'clock P.M. in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Konnie Kuiper, Brian Novak and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council and the Clerk-Treasurer discussed a letter sent from Wally Johnson of Fashion Optical, announcing his relocation to Fishers Indiana. Fashion Optical was located at 8128 Kennedy Avenue, Highland.
3. The Town Council discussed Resolution No. 2009-45. It was noted that the "Sense of the Council resolution," while advocating for State funding or alternative scheduling of a mandated referendum considering the establishment of a Regional Transportation Authority scheduled for November 3, 2009, the resolution was intentionally neutral on the merits of whether or not to establish a Regional Transportation Authority.
4. The Town Council discussed a recent letter sent by Sherry and Doug McClure concerning the disposition of their request to be appointed to the Community Events Commission.
5. The Clerk-Treasurer and the Town Council discussed the utilization of the Standing Study Session of September 21 for the purpose of meeting with the remaining departments regarding the FY 2010 budget.

The study session ended at 6:58 O'clock P.M.

Regular Meeting. The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, September 14, 2009 at 7:02 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Dan Vassar presided and the Town Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

The session was opened with Councilor Konnie Kuiper leading the pledge of allegiance to the United States Flag and offering a prayer.

Roll Call: Councilors Bernie Zemen, Mark Herak, Brian Novak, Konnie Kuiper and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Jared Tauber, Attorney, Tauber, Westland and Bennett; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; William R. Timmer,

CFOD, Fire Chief; Kenneth J. Mika, Building Commissioner; Cecile Petro, Redevelopment Director; and Alex M. Brown, CPRP, Parks and Recreation Superintendent were present.

Karen Ziants, and Lisa Gauthier of the Community Events Commission; and Mark Roorda of the Town Board of Metropolitan Police Commissioners were also present.

Robin Carlascio of the Idea Factory, a provider of the Town Newsletter; and Cynthia Singleton, Clerk-Treasurer Intern were also present.

Minutes of the Previous Session

The minutes of the regular meeting of August 24, 2009 were approved by general consent.

Special Orders:

1. **Proclamation of the Municipal Executive:** A Proclamation Designating September 17th through 23rd, 2009 as United States Constitution Week in the Town of Highland. The Town Council President, requested that the Clerk-Treasurer read aloud the enrolled proclamation. At the completion of the public reading, the Town Council President executed the proclamation with his signature.

TOWN OF HIGHLAND PROCLAMATION OF the TOWN EXECUTIVE

A PROCLAMATION IN RECOGNITION OF U.S. CONSTITUTION WEEK SEPTEMBER 17-23, 2009

Whereas, The Constitution of the United States of America, the guardian of our liberties, is a product of reflection and choice, embodying the principles of limited government in a Republic dedicated to rule by law, not by men; and

Whereas, September 17, 2007 marks the two hundred twenty-second anniversary of the signing of the Constitution of the United States of America by the 1787 Constitutional Convention, led by George Washington, James Madison and Benjamin Franklin, brilliant men who created a new of government that became the standard for self-government to the world; and

Whereas, It is fitting and proper to accord official recognition to the anniversary of this magnificent document, the guardian of our liberties; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States, designating September 17 through 23 as Constitution Week,

Now, Therefore, I, Dan Vassar by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim the week September 17 through 23, 2009, as U.S. *Constitution Week* in the Town of Highland;

Be it Further Proclaimed, That the citizens of Highland are hereby urged to reaffirm the ideals the Framers of the Constitution possessed in 1787 by reflecting on the privilege of being an American with all the rights and responsibilities which that privilege involves.

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 14th day of September in the year of our Lord, two thousand nine and the Independence of the United States of America, the two hundred thirty-third.

TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT

Dan Vassar

Attest:

Michael W. Griffin, Clerk-Treasurer

Staff Reports: The Council received the following reports as information for the record:

• **Building & Inspection Report for August 2009**

| Permit Type | No. | Residential | Commercial | Est. Cost | Fees |
|-------------------------------|------------|-------------|------------|---------------------|--------------------|
| Single Family | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Duplex/Condo | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Commercial | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Residential | 85 | 85 | 0 | \$499,758.00 | \$8,419.00 |
| Addit/Remodel | | | | | |
| Commercial | 10 | 0 | 10 | \$77,668.00 | \$2,284.50 |
| Addit/Remodel | | | | | |
| Schools/Church remodel/addtn. | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Sheds | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Fences | 10 | 10 | 0 | \$14,811.00 | \$814.50 |
| Garage | 0 | 0 | 0 | \$0.00 | \$0.00 |
| Decks & Porches | 6 | 6 | 0 | \$16,315.00 | \$1,152.00 |
| Swimming Pools | 1 | 1 | 0 | \$0.00 | \$73.00 |
| Misc. Permits | 9 | 9 | 0 | \$73,355.00 | \$1,405.00 |
| Misc. other | 1 | 1 | 0 | \$480.00 | \$73.00 |
| Signs | 7 | 0 | 7 | \$28,502.00 | \$1,532.50 |
| Fire Repair | 0 | 0 | 0 | \$0 | \$0 |
| Total: | 129 | 112 | 17 | \$710,899.00 | \$15,753.50 |
| Electrical Permits | 17 | 12 | 5 | | \$1,781.50 |
| Mechanical Permits | 10 | 9 | 1 | 0 | \$826.00 |
| Plumbing Permits | 4 | 3 | 1 | | \$1,781.50 |
| Water Meters | 2 | 1 | 1 | | \$460.00 |
| Water Taps | 1 | 1 | 0 | | \$200.00 |
| Sewer Taps | 2 | 2 | 0 | | \$600.00 |
| Total: | 9 | 7 | 2 | | \$1,824.75 |

August Code Enforcement: 188 warnings issued and 9 citations were issued.

There were 47 final building inspections, 6 plumbing inspections, and 22 electrical inspections. There were two electrical exams given.

• **Fire Department Report for August 2009**

| | Month | Y.T.D. | Previous Y.T.D. | Task Hours |
|-----------------|-------|--------|-----------------|------------|
| General Alarms | 10 | 81 | 101 | |
| Car Fires | 1 | 10 | 11 | |
| Still Alarms | 7 | 70 | 109 | |
| Ambulance calls | 0 | 0 | 1 | |

• **Workplace Safety Report for August 2009**

There was one incident reported in August. The following incident summary was filed:

| Department | Injuries this Month | Year to Date 2009 | Total in 2008 | Restricted Days 2009 | Lost Workdays This Year | Restricted Days Last Year (2008) | Lost Workdays Last Year (2008) |
|---------------|---------------------|-------------------|---------------|----------------------|-------------------------|----------------------------------|--------------------------------|
| Parks | 1 | 1 | 3 | 0 | 0 | 0 | 0 |
| Fire | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Police | 0 | 4 | 8 | 0 | 0 | 0 | 21 |
| Street | 0 | 0 | 6 | 0 | 0 | 3 | 2 |
| Water & Sewer | 0 | 2 | 6 | 0 | 0 | 62 | 0 |

| | | | | | | | |
|---------------|----------|----------|-----------|----------|-----------|----------|-----------|
| Maint. | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| TOTALS | 1 | 7 | 25 | 0 | 62 | 3 | 23 |

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

1. **Introduced Ordinance No. 1433:** An Ordinance to Amend Chapter 216 of the Highland Municipal Code to authorize and establish the Redevelopment Commission as the advisory body to review applications for Riverfront Development Projects, prior to consideration by the Town Council. Councilor Zemen introduced and filed Ordinance No. 1433 at the meeting of 24 August 2009. There was no further action.

Councilor Kuiper moved the passage and adoption of Ordinance No. 1433. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1433
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE AMEND CHAPTER 216 OF THE HIGHLAND MUNICIPAL CODE TO AUTHORIZE AND ESTABLISH THE REDEVELOPMENT COMMISSION AS THE ADVISORY BODY TO REVIEW APPLICATIONS FOR RIVERFRONT DEVELOPMENT PROJECTS, PRIOR TO CONSIDERATION BY THE TOWN COUNCIL.

WHEREAS, I.C. 36-1-3-4(b) specifically provides that a unit of local government has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute; and

WHEREAS, IC 36-7-4 specifically provides that a unit of local government shall govern planning and development according to its terms and provisions;

WHEREAS, The Town Council has previously adopted the provisions of IC 36-7-14 establishing a redevelopment commission;

WHEREAS, IC 7.1-3-20-16 allows for and authorizes the issuance of specified, non-transferable permits to sell alcoholic beverages for on premises consumption in a restaurant on land or in a historic river vessel within a municipal riverfront development project funded in part with state and town money; and

WHEREAS, IC 7.1-3-20-16.5 allows for and authorizes the issuance of a retailer's permit to sell alcoholic beverages to the proprietor of a restaurant that is located in a facility that is located within the boundaries of a riverfront development district that is established by ordinance pursuant to IC 36-7-11-7; and

WHEREAS, Conference Committee Final Report for HB 1125 Section 74, effective July 1, 2008, allows a "qualified town" in addition to a qualified city to be eligible to designate a municipal riverfront development project area if it meets all provisions of IC 7.1 that apply to a municipal riverfront development project area, and that this Section 74 expires on December 31, 2011;

WHEREAS, The Highland Town Council passed and adopted Ordinance No. 1400, which established and designated a discretely identified area to be the Highland Municipal Riverfront Development Project Area, pursuant to the IC 7.1 et seq.;

WHEREAS, The Highland Town Council has determined that the amendment of the Highland Municipal Code regarding its provisions dealing with the redevelopment commission to be an exercise of local authority consistent with the provisions of IC 37-7-4, IC 36-7-14 and IC 36-1-3 and necessary or desirable in the conduct of its affairs;

WHEREAS, The Highland Town Council has further determined that the amendment of the Highland Municipal Code regarding its provisions dealing with redevelopment commission would further perfect the organization of the local government; and

WHEREAS, It would be and is in the best interest of the Town of Highland to enact such an ordinance as an amendment to the identified sections of the Highland Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That Chapter 216 of the Highland Municipal Code be amended by adding a new subchapter, Styled as *Municipal Riverfront Development Project Area Projects*, to be comprised of Sections 216.20 through 216.22:

MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT AREA PROJECTS

§ 216.20 ADDITIONAL DUTIES OF THE REDEVELOPMENT COMMISSION.

(A) The Highland Redevelopment Commission shall serve as an advisory and coordinating body to the Highland Town Council in order to carry-out the purposes of performing redevelopment in the Municipal Riverfront Development Project Area, as established by Ordinance No. 1400 of the Town of Highland.

(B) The Redevelopment Commission shall have the power to create such forms and develop such guidelines it deems necessary and desirable to best administer the application and review of prospective restaurant developments that seek to locate in the Municipal Riverfront Development Project Area, provided that the guidelines and forms are consistent with this code and IC 7.1 et seq.;

§ 216.21 PROCEDURE FOR APPLICATION FOR MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT AREA PROJECTS.

(A) A person or persons seeking to develop and locate in the Municipal Riverfront Development Project Area shall meet with the Redevelopment Director to review the application requirements and receive a copy of the "Restaurant Application", which includes the Indiana State forms, "Application for New or Transfer Permit" and "Property Tax Clearance Schedule", and a letter to the Office of the Lake County Surveyor requesting verification of the Highland location;

(B) Upon completion of the Restaurant Application, including the Application for New or Transfer Permit, the applicant will meet with the Director to review the content and completeness of the application;

(C) The applicant may be scheduled to meet with the Redevelopment Commission during a duly called regular or special meeting, in order to further consider the applicant and the application for advisory approval for the permit granted pursuant to IC 7.1-3-20-16.1;

(D) The Redevelopment Commission during the same or another duly called regular or special meeting, shall vote either a favorable or unfavorable recommendation and forward the application along with its recommendation to the Town Council for its consideration, pursuant to IC 7.1-3-20-16.1;

§ 216.22 CONSIDERATION BY THE MUNICIPAL LEGISLATIVE BODY

(A) If the application receives a favorable recommendation from the Redevelopment commission, the following apply:

(1) At the first regular meeting of the legislative body after the proposal is certified (or at any subsequent meeting within a ninety (90) day period), the legislative body may approve or reject, the application. The legislative body shall give notice under IC 5-14-1.5-5 of its intention to consider the application at that meeting.

(2) If the legislative body approves the application, the applicant shall then transmit the application and necessary materials to the Indiana Alcohol & Tobacco Commission for its action.

(3) If the legislative body fails to act on the proposal within ninety (90) days after certification, the application shall be deemed to have been approved as if it had been formally approved (as certified) ninety (90) days after certification.

(4) If the legislative body rejects application, the application is denied.

(B) If the application receives an unfavorable recommendation from the Redevelopment commission, the following apply:

(1) At the first regular meeting of the legislative body after the application is certified chapter (or at any subsequent meeting within the ninety (90) day period), the legislative body may adopt or reject, the application. The legislative body shall give notice under IC 5-14-1.5-5 of its intention to consider the application at that meeting.

(2) If the legislative body approves the application, the applicant shall then transmit the application and necessary materials to the Indiana Alcohol & Tobacco Commission for its action.

(3) If the legislative body rejects the application or fails to act on it within ninety (90) days after certification, it is denied.

(C) If an application is denied and rejected under Section 216.22 (A)(4) or (B)(3), an applicant may not reapply sooner than 240 days following the rejection or denial described in this section. *The Redevelopment Commission may waive this provision by an affirmative vote of two-thirds of the entire membership.*

Section 2. All provisions of ordinances in conflict with the provisions hereof are hereby repealed.

Section 3. Whereas an emergency exists, this Ordinance shall become and be in full force and effect from and after the date of its adoption, passage and publication in the manner prescribed by law, and until its subsequent amendment or repeal by proper ordinance.

Introduced and Filed on the 24th day of August 2009. Consideration on same evening of introduction was not sought pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 14th Day of September 2009, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Dan Vassar, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Proposed Ordinance No. 1434:** An Ordinance to Amend section §170.08 (F) of the municipal code to re-instate its provision allowing limited waiver of solid waste management fees, which expired on July 1, 2008.

Councilor Zemen introduced and moved the consideration of Ordinance No. 1434 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered.

Councilor Zemen moved the passage and adoption of Ordinance No. 1434 at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE No. 1434
of the
TOWN of HIGHLAND, INDIANA**

A N ORDINANCE REVISING AND AMENDING THE HIGHLAND MUNICIPAL CODE, CHAPTER 170, PARTICULARLY REGARDING THE RENEWAL OF A SPECIAL LIMITED FEE WAIVER FOR THE SOLID WASTE MANAGEMENT PROGRAM of the TOWN, ALL PURSUANT TO IC 36-1-5 AND IC 36-9-30 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances

WHEREAS, The legislative body of the this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The Town Council, is persuaded that it is necessary to make certain technical corrections to the current code of ordinances in order to further perfect the operation of the municipally and to advance the public interest; and

WHEREAS, The Indiana Code further provides under IC 36-1-4 for the general powers of units to provide for the operation of a government;

WHEREAS, The Indiana Code still further provides under IC 36-1-3 certain powers granted expressly by statute and powers deemed necessary or desirable in the conduct of municipal affairs;

WHEREAS, The Indiana Code still further provides under IC 36-9-2-16 and IC 36-9-30 that a unit may regulate the furnishing of the service of collecting, processing, and disposing of waste substances and domestic or sanitary sewage including the power to fix the price to be charged for that service;

WHEREAS, The Town Council determines that certain amendments to certain provisions of the Highland Code of Ordinances to be necessary or desirable in the conduct of municipal affairs and consistent with the laws of the state governing the operation of a government;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That subdivision (F) of Section § 170.08 of the Highland Municipal Code is amended by repealing it in its entirety and replacing it with a new subdivision to be styled (F) of Section § 170.08 which shall read as follows:

(F) *Limited Waiver of Fees for Certain Two-Family Dwellings.* In the event that one unit of a two-unit dwelling, without a separate water meter and/or account status, becomes vacant, for a period of not less than four months, the property owner may request a waiver of the solid waste management fee charged for the unoccupied unit pursuant to the following:

- (1) Person(s) who desire this limited waiver shall contact the Public Works Director, and apply for such a waiver, not sooner than the first day of the month following the date of the vacancy; and,
- (2) The duration of the limited waiver of fees in this subsection shall be for (4) months. Persons may renew the waiver with the Public Works Director.
- (3) Unless specifically renewed, the Public Works Director will advise the billing authority that the solid waste management fee charges shall resume, in full, beginning on first month following the waiver's lapse.
- (4) Person(s) shall notify the Public Works Director in the event that the vacant unit becomes occupied before the fee waiver expires. The solid waste management fee shall be reinstated and charged beginning in the month that the unit becomes occupied.
- (5) In the event that the owner fails to notify the Public Works Director prior to the reoccupation of the vacant unit, all waived solid waste management fees shall be reinstated, back to the first day of the waiver period. Application shall be on forms to be provided by the Office of the Clerk Treasurer and shall include name, address, account number, and the specific reason for the request.
- (6) ~~The provisions of Section § 170.08 (F) shall expire and be of no further force or effect on July 1, 2008.~~

Section 2. That any actions related to the granting of limited waivers as herein described that may have taken place after June 30, 2008 and before the passage and adoption of this ordinance be further affirmed, ratified and authorized, pursuant to IC 36-1-4-16, which provides that a unit may ratify any action of the unit or its officers or employees if that action could have been approved in advance provided that such ratification of an action must be made by the same procedure that would have been required for approval of the action in advance.

Section 3. All provisions of ordinances in conflict with the provisions hereof are hereby repealed.

Section 4. This Ordinance shall become and be effective upon its passage, approval, and publication in the manner prescribed by law.

Introduced and Filed on the 14th Day of September 2009. Consideration on same day or at same meeting of introduction approved by a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 14th Day of September 2009, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Enactment No. 2009-43:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq. (*Federal reimbursement from HIDTA for overtime in Police Department of the Corporation General Fund.*)

Councilor Herak introduced and moved the consideration of Enactment No. 2009-43 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Herak moved the passage and adoption of Enactment No. 2009-43 at the same meeting of introduction. Councilor Novak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2009-43

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to i.c. 6-1.1-18-7.5, i.c. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a grant from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a grant of the **Federal High Intensity Drug Traffic Area**, particularly represented on Clerk-Treasurer's receipt numbers 016083, 016691, and 017079, in the total amount of \$ 4,060.85 as reimbursement in support of overtime costs for detailed personnel;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the actual overtime personnel expenses of said municipality related to the G.R.I.T funded by **Federal High Intensity Drug Traffic Area** to reimburse the municipality for its actual over time expenses incurred by the assigned person, the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

CORPORATION GENERAL FUND

Metropolitan Police Department

| | |
|--|--------------------|
| Increase Account: #111.30 Sworn Overtime | \$ 4,060.85 |
| <i>Total 100 Series Increases</i> | \$ 4,060.85 |
| Total of All Fund Increases: | \$ 4,060.85 |

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 et seq.

Introduced and Filed on the 14th day of September 2009. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ENACTED AND ADOPTED this 14th Day of September 2009, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Enactment No. 2009-44:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq. *(State reimbursement from Indiana Criminal Justice Institute for lawful purchase in Police Department of the Corporation General Fund.)*

Councilor Novak introduced and moved the consideration of Enactment No. 2009-44 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered.

Councilor Novak moved the passage and adoption of Enactment No. 2009-44 at the same meeting of introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

**TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT NO. 2009-44**

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to i.c. 6-1.1-18-7.5, i.c. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a grant from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a grant of the **Indiana Criminal Justice Institute**, particularly represented on Clerk-Treasurer's receipt number 017795, in the amount of \$500.00 as reimbursement in support of a particular grant funded project;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality related to a law enforcement expenditure for supplies to operate the e-ticketing equipment by the Metropolitan Police Department, the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named and for the sole purpose of repairing or replacing the damaged property:

GENERAL FUND – METROPOLITAN POLICE DEPARTMENT

| | | |
|-------------------------------------|-----------------------------------|------------------|
| Increase Account: | #230.06 Computer Supplies. | \$ 500.00 |
| | <i>Total 200 Series Increases</i> | \$ 500.00 |
| Total of All Fund Decreases: | | \$ 500.00 |
| Total of All Fund Increases: | | \$ 500.00 |

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 14th day of September 2009. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ENACTED AND ADOPTED this 14th Day of September 2009, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2009-30:** An Order Approving and Authorizing the Metropolitan Police Chief to Enter into a Purchase Agreement with Mobile TEK Consulting for Five (5) Panasonic CF30 Tough book Laptops, pursuant to IC 5-22 and §31.18(C) of the Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2009-30. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

After the motion to adopt but before the roll call, Councilor Herak inquired about the designated vendor, Mobile-TEK and whether or not the IT Director had been consulted on the specific purchase.

**Town of Highland
Board of Works
Order of the Works Board 2009-30**

AN ORDER APPROVING AND AUTHORIZING THE METROPOLITAN POLICE CHIEF TO ENTER INTO A PURCHASE AGREEMENT WITH MOBILE TEK CONSULTING FOR FIVE (5) PANASONIC CF30 TOUGH BOOK LAPTOPS, PURSUANT TO IC 5-22 AND §31.18(C) OF THE MUNICIPAL CODE.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carryout the functions of the department; and

Whereas, The Metropolitan Police Chief has previously determined a need to replace certain equipment and supplies and has further determined that since the unit price will likely be below \$25,000.00, no quotes from vendors was or will be sought, but instead a purchase of five (5) Panasonic CF30 *Toughbook*® laptop computers, will be made in open market, pursuant to Section § 31.20 (G) (2) of the Highland Municipal Code;

Whereas, The Metropolitan Police Chief has previously identified MobileTek, Inc., to be a desirable source vendor for the purchase of five (5) Panasonic CF30 *Toughbook*® laptop computers, at a unit price of \$4,405.00 for each laptop, but a total contract price of \$22,025.00, pursuant to Section § 31.20 (G) (2) of the Highland Municipal Code;

Whereas, The contract price for the purchase of the foregoing is in excess of \$10,000 and, pursuant to §31.18(C) as well as §31.19(B)(1)(b) of the Highland Municipal Code, does require the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(2) of the Highland Municipal Code serves as purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to §31.19(D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The purchase will supported by a duly approved appropriation in the **Municipal Cumulative Capital Development Fund**; and

Whereas, The Town Council now desires to approve and authorize the Metropolitan Police Chief to enter into a purchase agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1 That the Works Board hereby finds and determines that the purchase as an individual purchase represents a duly executed **small purchase** pursuant to IC 5-22 and §31.20(G) (2) of the Highland Municipal Code;

Section 2 That the purchase of five (5) Panasonic CF30 *Toughbook*® laptop computers, at a unit price of \$4,405.00 for each laptop, but a total contract price of **\$22,025.00** is hereby authorized and approved;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14;

Be it So Ordered.

DULY, PASSED, ADOPTED AND Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of September 2009 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. **Works Board Order No. 2009-31:** An Order Approving and Authorizing the proper Officer to Enter into a Purchase Agreement with IKON Office Supplies for three photocopiers/fax/scanner/printers, pursuant to IC 5-22 and §31.18(C) of the Municipal Code.

Councilor Novak moved the passage and adoption of Works Board Order No. 2009-31. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

Town of Highland
Board of Works
Order of the Works Board 2009-31

AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING THE TOWN CLERK-TREASURER TO ENTER INTO A PURCHASE AND MAINTENANCE AGREEMENT FOR THREE (3) DIGITAL TECHNOLOGY, MULTIPLE FUNCTION PHOTOCOPY/SCANNER/PRINTER/FAXING DEVICES, PURSUANT TO IC 5-22 AND CHAPTER 31 OF THE MUNICIPAL CODE.

Whereas, The Town of Highland, by its Town Council, established an Information and Communications Technology Fund to affect economies, efficiencies and improved coordination of the acquisition and maintenance of certain communication and information equipment for use by the several departments of the municipality;

Whereas, The Town of Highland, through its IT Director and the Town Clerk-Treasurer, has determined that a need exists to acquire several new multiple function information devices, providing photocopy/printing/scanning and faxing functionality in support of the services provided by the Office of the Clerk-Treasurer, the Building and Inspection Department, the Redevelopment Department, the Parks and Recreation Department and the Metropolitan Police Department of the Town,

Whereas, The Town Council as the Works Board of the Municipality, pursuant to §31.17(A)(1) of the HMC serves as purchasing agency for the several departments of the municipality generally and as the body authorized to allow expenditures from the Information Communication Technology Fund, pursuant to Section §31.08(E) of the Highland Municipal Code;

Whereas, The Clerk-Treasurer, pursuant to §31.19(D)(10) of the HMC, serves as the Purchasing Agent for the Office of the Clerk-Treasurer as well as the executive departments of the municipality; and

Whereas, The Town of Highland through its Office of the Clerk-Treasurer in cooperation with the IT Director has substantially complied with the provisions of the Highland Municipal Code, **Section § 31.20 (F)(1)**, having ascertained that both the total purchase price of the equipment sought and the annual payments under the considered three year maintenance agreement are above the recorded quote threshold of \$25,000 but below the bidding threshold of \$75,000;

Whereas, The Town of Highland through its Office of the Clerk-Treasurer in cooperation with the IT Director did prepare specifications and requested quotes from nine retail vendors with seven of the nine vendors offering responses that complied with the specifications set forth, summarized as follows:

| Vendor | Simple Purchase | Maintenance & Service Agreement | Cost Over Three Yrs. | Total Cost |
|-------------|-----------------|---------------------------------|----------------------|--------------|
| Omni | \$ 38,150.00 | \$ 373.50 | \$ 13,446.00 | \$ 51,596.00 |
| IKON | \$ 32,031.00 | \$ 348.00 | \$ 12,528.00 | \$ 44,559.00 |
| Imagetec | \$ 30,220.00 | \$ 439.00 | \$ 15,804.00 | \$ 46,024.00 |
| COTG | \$ 32,000.00 | \$ 396.00 | \$ 14,256.00 | \$ 46,256.00 |
| Gateway | \$ 32,280.00 | \$ 414.50 | \$ 14,922.00 | \$ 47,202.00 |
| Adams Remco | \$ 37,514.00 | \$ 377.50 | \$ 13,590.00 | \$ 51,104.00 |
| McShane's | \$ 33,611.52 | \$ 344.90 | \$ 12,416.40 | \$ 46,027.92 |

Whereas, The Town of Highland through its Office of the Clerk-Treasurer in cooperation with the IT Director did review these responses finding the quotes of **Office Max**, with a non-compliant copy speed, and no service agreement and **Markur**, with a non-compliant copy speed and memory, not responsive and not satisfactory, thereby rejected from consideration;

Whereas, The Town of Highland through its Office of the Clerk-Treasurer in cooperation with the IT Director did review these responses finding the quote of **IKON** of Chesterton, Indiana for a single purchase price for three multiple function information devises, providing photocopy/printing/scanning and faxing functionality and an associated thirty-six month maintenance agreement for a total cost of **\$44,559.00** to be the lowest and most desirable quote;

Whereas, As purchasing agency for the several departments of the municipality generally and as the body authorized to allow expenditures from the Information Communication Technology Fund, the Highland Town Council must approve any single purchase in excess of Ten Thousand Dollars (\$10,000) all pursuant to the Highland Municipal Code, Sections § 31.17 (A)(7) and Section §31.18(C); and

Whereas, There is a sufficient and available appropriation and cash balances on credit to the Municipal Cumulative Capital Fund as well as the Information and Communications Technology Fund to support the purchase payment and monthly maintenance under the terms of the proposed agreement and the issuance of a purchase order, all pursuant to I.C. 5-22-17-3(e) and I.C. 5-22-18-5;

Whereas, The Town Council now desires to approve and authorize the Clerk-Treasurer to enter into an agreement pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the purchase and maintenance agreement as presented by the quote of **IKON** of Valparaiso, Indiana for the purchase of three multiple function information devises, providing photocopy/printing/scanning and faxing functionality (copiers) and an associated thirty-six month maintenance agreement for a total cost of **\$44,559.00** is hereby found to be the lowest and most desirable quote and accepted and approved in each and every respect;

Section 2. The Town Council hereby further finds and determines that quotes of **Office Max**, with a non-compliant copy speed, and no service agreement and **Markur**, with a non-compliant copy speed and memory, not responsive or satisfactory and therefore properly rejected;

Section 3. That the Town Council hereby further finds and determines that the proposed purchase price and associated maintenance charges presented in the offer, which include the acquisition cost, preventative maintenance or repair and all supplies except paper are reasonable and fair;

Section 4. That the Town Council further finds and determines there is now or will be sufficient and available appropriations and cash balances on credit to the Municipal Cumulative Capital Fund as well as the Information and Communications Technology Fund to support the purchase and monthly maintenance payments under the terms of the proposed agreement and authorizes the proper expenditures from these funds, all pursuant to I.C. 5-22-17-3(e);

Section 5. That the Town Clerk-Treasurer is hereby authorized and directed to execute the purchase and maintenance agreement and any additional documents in order to implement the terms of this accepted offer;

Section 6. That the Clerk-Treasurer is hereby authorized to expend appropriated funds as budgeted in order to support and implement the agreement.

Be it So Ordered

DULY, PASSED, ADOPTED AND Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of September 2009 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

7. Resolution No. 2009-45: A RESOLUTION ARTICULATING THE "SENSE OF THE TOWN COUNCIL" REGARDING THE TIMING and COSTS of the ELECTION for the consideration of the PUBLIC QUESTION on the establishment of a REGIONAL TRANSPORTATION DISTRICT OF NORTHERN INDIANA

Councilor Zemen moved the passage and adoption of Resolution No. 2009-45. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**HIGHLAND TOWN COUNCIL
Resolution No 2009-45**

A RESOLUTION ARTICULATING THE "SENSE OF THE TOWN COUNCIL" REGARDING THE TIMING and COSTS of the ELECTION for the consideration of the PUBLIC QUESTION on the establishment of a REGIONAL TRANSPORTATION DISTRICT OF NORTHERN INDIANA

WHEREAS, The Highland Town Council, as the fiscal and legislative body of the Town of Highland, from time to time, encounters issues of public import and moment which invite an expression from the elected representatives as part of the public discourse on the matter;

WHEREAS, Article 1, Section 31 of the Indiana Constitution provides that no law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good, nor from instructing their representatives, nor from applying to the General Assembly for redress of grievances; and

WHEREAS, The Indiana General Assembly passed the 2009-2010 state budget;

WHEREAS, Said budget contained language creating a Regional Transportation District for Northern Indiana;

WHEREAS, That language called for a special election to consider a public question regarding the establishment of a Regional Transportation Authority (referendum) to be held in Lake, Porter, LaPorte and St. Joseph Counties on November 3, 2009;

WHEREAS, That language omitted any method of payment for said referendum; and

WHEREAS, Lake, Porter, LaPorte and St. Joseph Counties will be mandated to absorb these costs, and;

WHEREAS, The timing of this election may not permit sufficient time to allow a meaningful opportunity to inform the deliberation of the voters on the subject of the public question, and;

WHEREAS, The Town of Highland, was incorporated to provide certain public services to the residents of this community, all of whom are also residents of this state, and Nation, who from time to time assemble together in a peaceable manner, consult for their common good, instruct their representatives and in some cases apply to the United States Congress for redress of grievances, all for the betterment of government; and

WHEREAS The Town of Highland by and through its elected officers wishes to offer a distinct, public expression on the public import of this matter,

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana that the sense of the Town Council of Highland is as follows:

Section 1. That the Highland Town Council, speaking as an advocate for the people of this community urges that Governor call the General Assembly of the State of Indiana in to session for the express purpose of conducting a

technical corrections session day to move said election to the 2010 general election, to permit a more meaningful opportunity for deliberation on the public question and to lower the polling costs;

Section 2. That the Highland Town Council, speaking as an advocate for the people of this community, further urges that the General Assembly of the State of Indiana take such steps as necessary to reimburse Lake, Porter, LaPorte and St. Joseph Counties for costs incurred to conduct this presently unfunded mandate;

Section 3. That the Town Clerk-Treasurer be hereby instructed to transmit and forward this resolution to the proper officers of the Indiana General Assembly, to Governor Mitchell Daniels, to inform their deliberation and to the neighboring cities and towns as well as to such other parties or agencies that may be interested, and to encourage those persons to evidence their strong desire to see the objects and purposes of this "Sense of the Council Resolution" achieved.

DULY RESOLVED and ADOPTED this 14th Day of September 2009 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

8. **Resolution No. 2009-46:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and among Major Budget Classifications in the **VIPS/Parks Public Safety Fund** as Requested by the Department Head or Proper Officer and Forwarded to the Town Council for its action pursuant to IC 6-1.1-18-6.

Determination to take no action. With leave from the Town Council, Councilor Zemen volunteered that he would be willing to donate the cost associated with the car washes, rendering the need for adopting the enrolled resolution moot. Under general consent, the Town Council allowed for Councilor Zemen to make a donation and to take no action on the enrolled resolution.

**Comments from the Town Council Members
(Good of the Order)**

- **Councilor Bernie Zemen:** • *Redevelopment Commission Liaison • Plan Commission member • Chamber of Commerce Co-Liaison • Lake County Solid Waste Management District Board of Directors • President's designee to Selection Centennial Commission.*

Councilor Zemen announced the date, time and location of what he described as "Tom Philpot Fest."

The Redevelopment Director was recognized and she expressed appreciation to the Town Council for adopting Ordinance No 1432, conferring advisory authority on the Redevelopment Commission related to the Municipal Riverfront Development Area.

- **Councilor Mark Herak:** • *Advisory Board of Zoning Appeals, Liaison • Board of Waterworks Directors, Liaison • Community Events Commission, Liaison.*

Councilor Herak inquired of the Redevelopment Director on the status of the Zappia related development project.

Councilor Herak also acknowledged and commended the church group, to which the Parks and Recreation Superintendent is affiliated, for its rehabilitation work on a house located on Grand Boulevard.

The Public Works Director was recognized to offer a brief status report on the several improvement projects underway in the town.

- **Councilor Brian Novak:** •*Town Board of Metropolitan Police Commissioners, Liaison* • *Traffic Safety Commission Member* • *Chamber of Commerce Co-Liaison*.

Councilor Novak recognized the Police Chief for comment. The Police Chief reported that the recently concluded Zest Fest was relatively free of incident and that the Traffic Safety Commission had recommended some parking ordinance changes for LaPorte Street , between Grace Street and Kennedy Avenue.

- **Councilor Konnie Kuiper:** *Fire Department Liaison* • *Park and Recreation Board, Liaison* • *Chamber of Commerce Co-Liaison*.

Councilor Kuiper recognized the Fire Chief who reported briefly on some recent internet and phone service outages caused by excavation associated with the Kennedy Avenue Reconstruction Project.

- **Councilor Dan Vassar:** • *Town Executive* • *Police Pension Board of Trustees Chair* • *Budget Committee Chair* • *Board of Sanitary Commissioners*.

Council President Vassar recognized the Building Commissioner who offered a brief summary of forthcoming matters before the Plan Commission and the Advisory Board of Zoning Appeals.

Comments from the Public or Visitors.

1. Richard Volbrecht, 9221 Parkway Drive, Highland expressed favor and commended the Town Council for its passage and adoption of Resolution No. 2009-45, regarding the scheduled referendum on the possible establishment of a Regional Transportation Authority.

Payment of Accounts Payable Vouchers. There being no further business from the public or visitors, Councilor Novak moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period August 25, 2009 through to September 14, 2009. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers were allowed and the Clerk-Treasurer was authorized to make payment.

General Fund, \$547,086.41; Motor Vehicle Highway and Street (MVH) Fund, \$40,035.95; Local Road and Street (LRS) Fund, \$22,472.21; Law Enforcement Continuing Education and Training Fund, \$1,320.38; Corporation Bond and Interest Fund, \$136,580.91; Flexible Savings Account (FSA) Agency Fund, \$1,193.83; Insurance Premium Fund, \$108,955.62; Gasoline Fund, \$25,246.22; Information and Communications Technology Fund, \$7,618.50; Civil Donation Fund, \$457.16; Special Events Non-reverting Fund, \$1,102.65; Select Centennial Commission Fund, \$125.00; Rainy Day Fund, \$1,188.00; Police Pension Fund, \$58,252.55; Municipal Cumulative Development Fund, \$7,428.94; Traffic Violations Agency Fund, \$6,961.00; Safe Neighborhood Grant Fund, \$3,230.76; Gaming Revenue Sharing Fund, \$106,160.00; Corporation Capital Fund, \$218,330.34; Total: \$1,157,165.52.

Adjournment. Councilor Kuiper moved that the regular meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular meeting of the Town Council of **Monday, September 14, 2009** was adjourned at 7:35 O'clock P.M.

No study session followed.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer